

## **REMARKS**

Favorable reconsideration and allowance of the claims of the present application are respectfully requested.

Before addressing the specific grounds of rejection raised in the outstanding Office Action, Applicants have added a paragraph after paragraph [0029] and another new paragraph between paragraphs [0068] and [0069] in the manner indicated *supra*. Specifically, the new paragraph after paragraph [0029] has been added to indicate the presence of a new figure, FIG. 15. The new paragraph between paragraphs [0068] and [0069], of which the content was copied verbatim from the words in Claim 2, has been added to describe FIG. 15. Since support for the contents of these paragraphs is found in the specification, and specifically in Claim 2 of the instant application, Applicants submit that no new matter has been introduced.

In the Final Office Action dated August 17, 2006, the drawings are objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. Specifically, the Examiner objected to the absence of at least one other type of memory device (Claim 2) in the figures.

In compliance with the Examiner's request in the Office Action dated December 12, 2006 to either show at least one other type of memory device, wherein said further-offset buried strap is located at another depth that is different from said first depth (Claim 2) or cancel the feature(s) from the claims, Applicants submit a new drawing that show the features of Claim 2. Applicants submit that no new matter has been added and all features of FIG. 15 are supported by the specification including the claims, specifically by Claim 2 and paragraphs in the specification that describe the at least one other-type memory device.

Before addressing the specific grounds of rejection raised in the outstanding Office Action, Applicants have amended Claim 1 in the manner indicated supra. Specifically, Claim 1 has been amended by positively stating a first collar region with a first vertical length which is substantially constant throughout the periphery of said first collar region and a second collar region with a second vertical length which is substantially constant throughout the periphery of said first collar region, wherein said second vertical length is equal to said first vertical length. Support for this amendment is found throughout the specification by the lack of any mechanism that may possibly change the vertical lengths along the periphery of the first and second collar regions. Lacking any mechanism that can induce variations in the vertical lengths of the first and second collar regions during the manufacturing process, one skilled in the art would conclude that both the first and second collar regions have a substantially constant vertical lengths throughout the periphery.

In the Final Office Action, Claims 1, 5, 6 and 10 stand rejected under 35 U.S.C. § 102(a) as allegedly anticipated by U.S. Patent No. 6,570,207 to Hsu et al., (hereinafter Hsu). Claims 3 and 7 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious over Hsu. Claims 8, 9, and 21 stand allowed. Claims 2 and 4 stand objected to as being dependent on a base claim, but the Examiner indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants respectfully submit that the structure of the present application, as recited in currently amended Claim 1 and the dependent claims therefrom, is not anticipated or rendered obvious by Hsu. Specifically, Hsu does not teach or suggest a first collar region with a first vertical length, which is substantially constant throughout the periphery of said second collar region, and a second collar region with a second vertical length, which is substantially constant

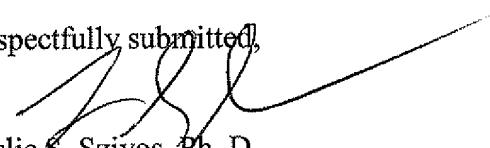
throughout the periphery of said second collar region. In other words, Hsu does not teach or suggest a structure wherein the length of each collar region is substantially constant throughout the periphery of each of said collars. Applicants note that the occurrence of same lengths between two types of collar regions in Hsu is due to shallow trench isolation, which cuts into the collar of one of the two types of collar regions. In other words, the equality between a length of one type of collar region and a length of the other type of collar region is due to the cutting of the collar regions by the shallow trench isolation structure. Without the shallow trench isolation structure, the equality between the two lengths cannot exist in Hsu. It follows then that such a structure cannot have a substantially constant vertical length throughout the periphery of said first collar region and a substantially constant vertical length throughout the periphery of said second collar region. Therefore, one of ordinary skill in the art cannot construct from the disclosure of Hsu a structure having a first collar region with a first vertical length which is substantially constant throughout the periphery of said first collar region and a second collar region with a second vertical length which is substantially constant throughout the periphery of said first collar region, wherein said second vertical length is equal to said first vertical length as disclosed and claimed in the present application. Therefore, Hsu is defective in anticipating or rendering the claims of the present invention obvious.

The various § 103 rejections also fail because there is no motivation in the applied references, either individually or in practicable combinations, which suggest modifying the disclosed structures to include the various elements, particularly, a first collar region with a first vertical length which is substantially constant throughout the periphery of said first collar region and a second collar region with a second vertical length which is substantially constant throughout the periphery of said first collar region, wherein said second vertical length is equal

to said first vertical length, as recited in the claims of the present invention. Thus, there is no motivation provided in the applied references, or otherwise of record, to make the modification mentioned above. "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." In re Vaeck, 947 F.2d, 488, 493, 20 USPQ 2d. 1438, 1442 (Fed.Cir. 1991).

The rejections under 35 U.S.C. § 103 have been obviated; therefore reconsideration and withdrawal thereof is respectfully requested.

Wherefore, reconsideration and allowance of the claims in the currently amended form of the present application are respectfully requested. Should the Examiner determine that anything further is desirable to place this application in even better form for allowance, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,  
  
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